

**UNITED STATE DISTRICT COURT  
SOUTHERN DISTRICT OF FLORIDA  
WEST PALM BEACH DIVISION**

**CASE NO. 22-80028-CR-CANNON**

**UNITED STATES OF AMERICA,**

Plaintiff,

v.

**ALLEN JAMES SWEETENBERG,**

Defendant.

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**ORDER ADOPTING REPORT AND RECOMMENDATION**

**THIS CAUSE** comes before the Court upon the Report and Recommendation issued by Magistrate Judge Bruce E. Reinhart following Change of Plea Hearing [ECF No. 40]. On August 29, 2022, Magistrate Judge Reinhart held a Change of Plea hearing [ECF No. 37], during which Defendant pled guilty to Count One of the Superseding Indictment [ECF No. 20] pursuant to a written plea agreement and factual proffer [ECF No. 38]. Magistrate Judge Reinhart thereafter issued a Report recommending that the Court accept Defendant's guilty plea to Count One of the Superseding Indictment [ECF No. 20], that the Court find Defendant to have freely and voluntarily entered his guilty plea, and that the Court adjudicate him guilty of Count One of the Superseding Indictment [ECF No. 40]. No party has filed objections to the Report, and the time to do so has expired.

The Court has conducted a review of the record and finds no error in the Report. Therefore, it is **ORDERED AND ADJUDGED** as follows:


1. The Report and Recommendation [ECF No. 40] is **ACCEPTED**.
2. The guilty plea entered into by Defendant Allen James Sweetenberg as to Count One

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of the Superseding Indictment is **ACCEPTED**.

3. Defendant Allen James Sweetenberg is adjudicated guilty of Count One of the Superseding Indictment, which charges him with knowingly and intentionally possessing with intent to distribute a controlled substance, in violation of 21 U.S.C. § 841(a)(1), namely, a mixture and substance containing a detectable amount of cocaine base (commonly known as “crack” cocaine), and a mixture and substance containing a detectable amount of cocaine, pursuant to 21 U.S.C. § 841(b)(1)(C) [ECF No. 20].
4. The Government’s Motion to Introduce Evidence Pursuant to Federal Rule of Evidence 404(b) [ECF No. 11] is **DENIED AS MOOT**.

**DONE AND ORDERED** in Chambers at Fort Pierce, Florida this 14th day of September 2022.

  
**AILEEN M. CANNON**  
**UNITED STATES DISTRICT JUDGE**

cc: counsel of record